# Draft Environmental Assessment

# C. Ben White Memorial Fishing Access Site Proposed Acquisition and Development

February 2020

**Region 2**
**3201 Spurgin Road, Missoula, MT 59804**

# Draft Environmental Assessment
# CHECKLIST

## PART I. PROPOSED ACTION DESCRIPTION

### 1. Type of proposed state action

Montana Fish, Wildlife and Parks (FWP) proposes a fee-title acquisition of approximately 97 acres of private land along the West Fork of the Bitterroot River in Ravalli County for creation of the C. Ben White Memorial Fishing Access Site (FAS). The proposed FAS would expand the smaller area currently leased by FWP as the W. W. White Memorial FAS and permanently protect access, recreation, and wildlife values at the gateway of the West Fork of the Bitterroot River canyon. Proposed developments at the site include expanded day-use improvements, a small campground with 1-3 sites, river-bottom and upland parking areas, 2 vault latrines, and walking trails. The existing boat launch area would largely remain the same with possible minor improvements. Fishing, hunting, and wildlife-watching opportunities would increase as a result of the additional acreage. The FAS would also protect important floodplain habitat to benefit game and nongame species in perpetuity, including state Species of Concern (SOC).

### 2. Agency authority for the proposed action

- § (Section) 87-1-209 of the Montana Code Annotated (MCA) allows FWP to "acquire . . . lands or waters for . . . public hunting, fishing or trapping areas."
- § 87-1-605, MCA, directs FWP to use certain portions of fishing license fees "for the purchase, operation, development, and maintenance of fishing accesses; . . ."
- § 23-1-110, MCA, requires FWP to consider the wishes of the public; the capacity of the site for development; environmental impacts; long-range maintenance; protection of natural, cultural, and historical FAS features; and impacts on tourism. See Appendix A for HB 495 qualification.
- Administrative Rules of Montana (ARM) 12.8.601 through 12.8.606 establish the rules for implementing § 23-1-110, MCA.
- ARM 12.2.428 through 12.2.433 establish procedures for implementing the Montana Environmental Policy Act (MEPA) in conjunction with EAs and public involvement for proposed FWP actions.
- § 87-1-303, MCA, authorizes the Fish & Wildlife Commission to "adopt and enforce rules governing uses of lands that are acquired . . . by the commission . . ."
- § 23-1-105, MCA, authorizes FWP to "levy and collect reasonable fees . . . for the use of privileges and conveniences [e.g., overnight camping] that may be provided [at FASs]."

### 3. Name, address and phone number of project sponsor, if other than the agency: None

### 4. Anticipated Schedule

Public Comment Period: February 27 through March 27, 2020
Decision Notice Published: early April 2020
Reviewed by Fish & Wildlife Commission (project approval): tentatively scheduled for June 2020 Commission meeting.
Reviewed by the State Board of Land Commissioners: tentatively July 2020

### 5. Locations affected by proposed action

The proposed C. Ben White Memorial Fishing Access Site is located along the West Fork of the Bitterroot River and is accessed via Highway 473 (West Fork Road). The FAS is approximately7.5 miles south of Darby, Montana in Ravalli County, and includes a portion of Township 2 North, Range 21 West; Section 13 (Figures 1-3).

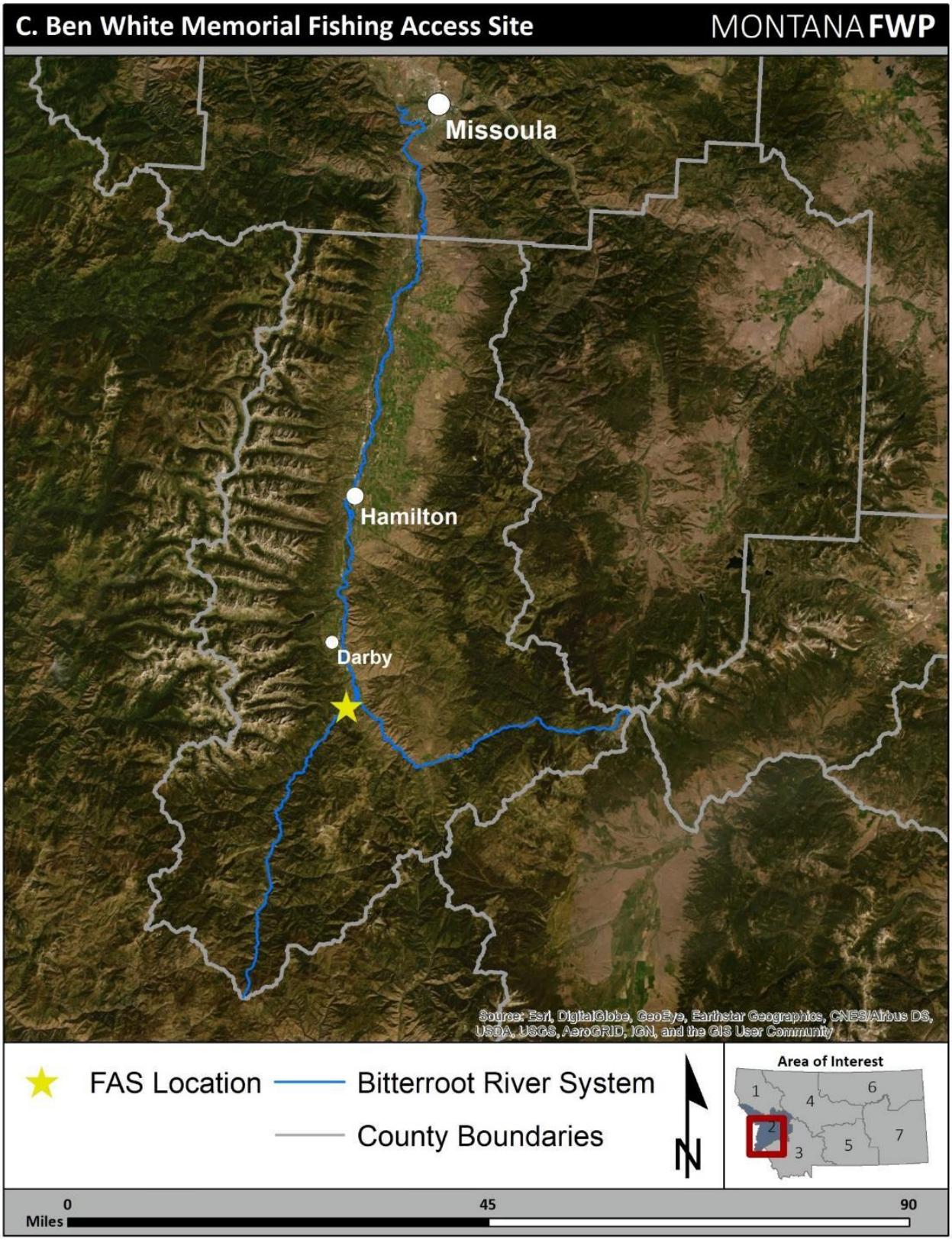


**Figure 1.** Location of the proposed C. Ben White Memorial Fishing Access Site in Ravalli County.

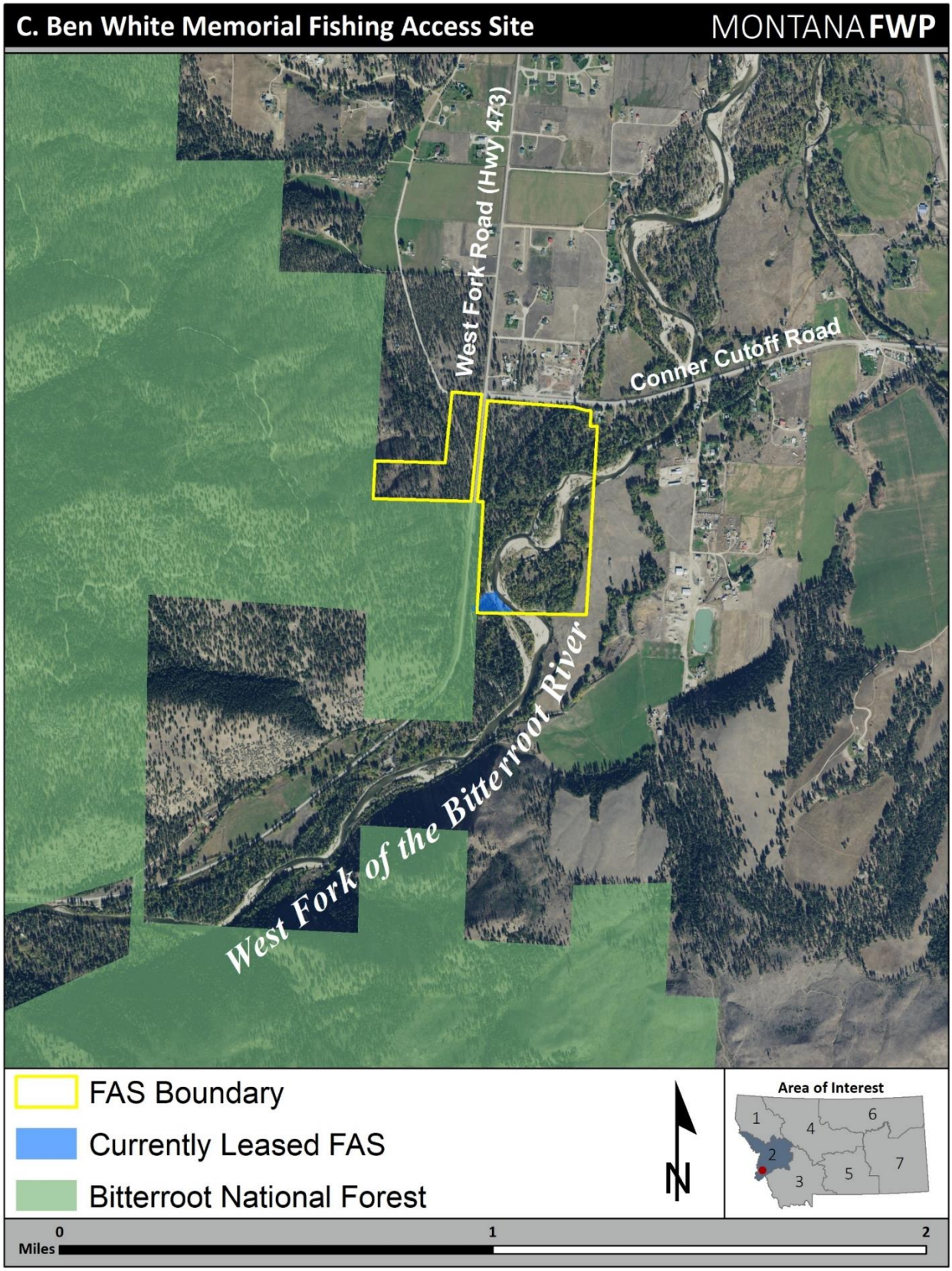


**Figure 2.** Landscape context map of the proposed C. Ben White Memorial Fishing Access Site in FWP Region 2. All lands not indicated as Bitterroot National Forest are privately owned.

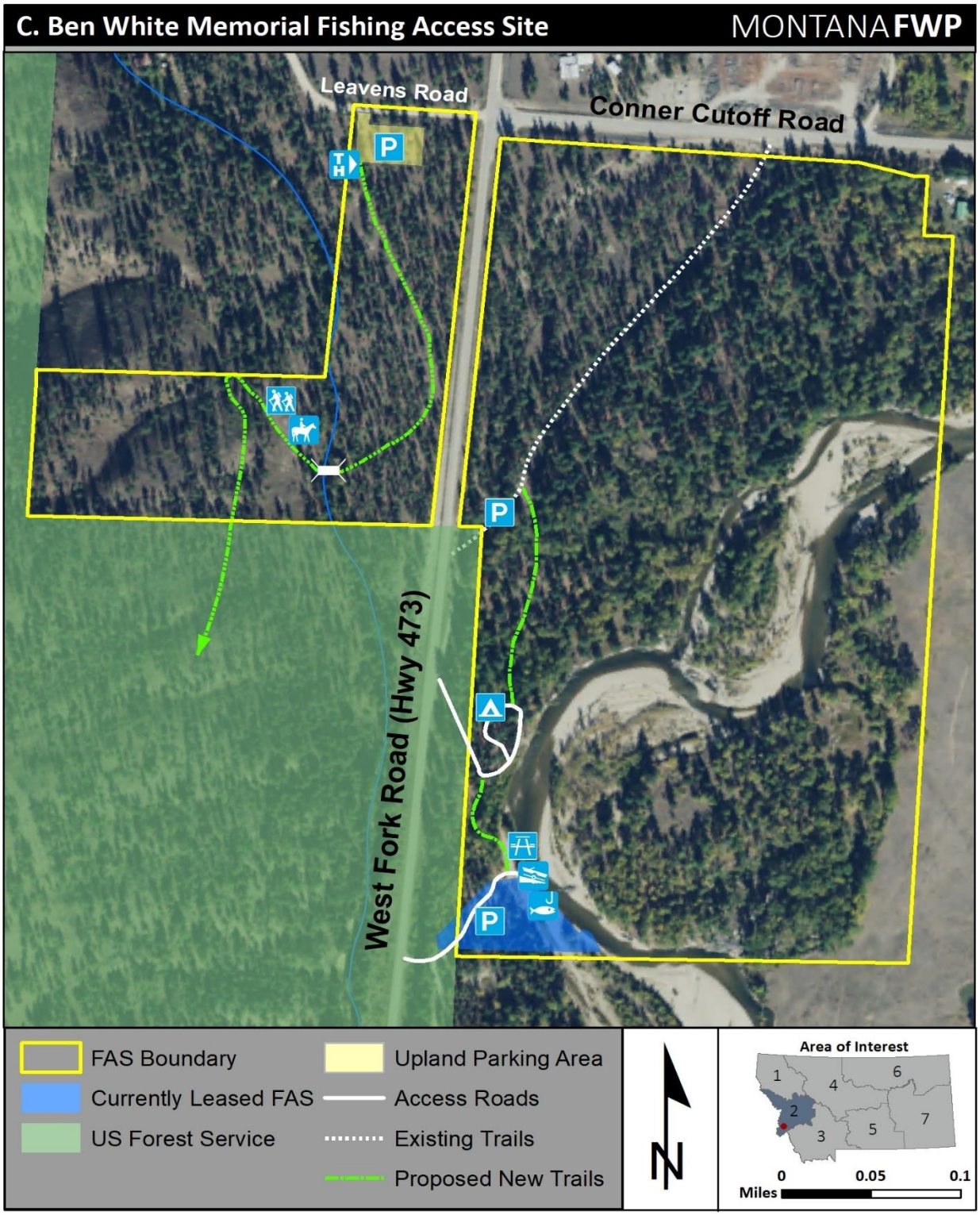


**Figure 3.** Site map of the proposed C. Ben White Memorial Fishing Access Site and developments and/or improvements. Upon acquisition, basic improvements would be made to facilitate public use (e.g., parking areas, vault latrine near the boat launch). Additional improvements (e.g., campground, picnic area, additional latrine) would be made in future years with support from the Bitter Root Land Trust and other partners. Location of roads, trails, parking areas, and trailhead are tentative.

**6. Project Size, estimated 97 acres**

| Land Type | Affected Area (estimated in acres) | Land-type Total (acres) |
|---|---|---|
| **a. Developed:** | | |
| Residential | 0 | |
| Industrial | 0 | |
| Recreation | 3 | **3** |
| **b. Open Space/ Woodlands/ Recreation** | **37** | **37** |
| **c. Wetlands/ Riparian Areas** | **34** | **34** |
| **d. Floodplain** | **12** | **12** |
| **e. Productive:** | | |
| Irrigated Cropland | 0 | |
| Dry Cropland | 0 | |
| Forestry | 11 | |
| Rangeland | 0 | |
| Other | 0 | **11** |
| **Total** | | **97** |

**7. Permits, Funding and Overlapping Jurisdiction**

**a. Permits:** Permits would be filed at least 2 weeks prior to project start

| Agency Name | Permits |
|---|---|
| MT Department of Environmental Quality (DEQ) | 318 Short Term Water Quality Standard for Turbidity |
| MT Fish, Wildlife & Parks (FWP) | 124 Montana Stream Protection Act |
| Ravalli County | Floodplain Permit and Sanitation Permit<br>Approach Permit |
| US Army Corps of Engineers | 404 Federal Clean Water Act |

**b. Funding:**

| Entity | Funding Amount (status) |
|---|---|
| FWP Fishing Access Site Program | $ 70,000 (committed) |
| FWP Access Public Lands Program | 50,000 (committed) |
| White, Dickman, and Stomberg Families | 100,000 (donated value) |
| Private Donors | 100,000 (committed) |
| MT Fish and Wildlife Conservation Trust | 100,000 (committed) |
| Ravalli County Open Lands Bond | 250,000 (requested) |
| Other public and private funding sources | 80,0000 (anticipated) |
| **Total acquisition cost** | **$750,000** |
| Estimated FAS development costs* | 100,000 |
| **Total Project Cost** | **$850,000*** |

***The current project budget (Total) may change as development plans are finalized.*

**c. Other Overlapping Jurisdictional Responsibilities:**

| Agency Name | Type of Responsibility |
|---|---|
| State Historic Preservation Office | Cultural Clearance |
| FWP Fish & Wildlife Commission | Project Approval |
| Ravalli County Weed District | Weed Management Coordination |
| United States Forest Service | Access Easement and Trail Design |

## 8. Narrative summary of the proposed action

Montana Fish, Wildlife & Parks (FWP) is working with the Bitter Root Land Trust (BRLT) to purchase 97 acres along the West Fork of the Bitterroot River (West Fork) for the creation of the C. Ben White Memorial Fishing Access Site (FAS). The site is located approximately 22 miles downstream of Painted Rocks Reservoir and approximately 3 miles upstream of the confluence of the East and West Forks of the Bitterroot River. The proposed FAS would provide recreational river access to the West Fork while protecting 97 acres of sensitive and biodiverse habitat types in the Bitterroot Valley. The property encompasses a variety of aquatic and terrestrial habitats that provide resources for a wide range of fish and wildlife species. As such, the property offers diverse hunting, angling, and wildlife-watching opportunities. Approximately 0.5 miles of the main stem of the West Fork flows through the property, with an additional 0.5 miles of side channels and 68 acres of associated riparian habitat (Figure 4). The riparian habitat includes 56 acres of mixed cottonwood and ponderosa pine riparian forest and 12 acres of willow thickets, gravel bars, and river channel. The upland portion of the property consists of approximately 19 acres of open, large-diameter ponderosa pine forest connected to Bitterroot National Forest (BNF) lands owned by the US Forest Service (USFS).

**Figure 4.** The proposed FAS would facilitate easy access to the West Fork of the Bitterroot River for fishing, swimming, picnicking, and wildlife-watching.

FWP's acquisition of the property would permanently protect open space, outdoor recreation opportunities, and fish and wildlife habitat at the gateway to the West Fork of the Bitterroot River canyon. The C. Ben White Memorial FAS would be the only FWP-owned or operated FAS on the West Fork of the Bitterroot River and would complement an array of other boating and access sites owned and operated by the USFS on the upstream portions of the West Fork. The proposed FAS would expand the smaller (1.5 acres) W. W. White Memorial FAS currently leased by FWP since 2001.

The Bitterroot River and its forks are blue-ribbon trout waters and experience heavy use by anglers, floaters and other recreationists throughout the year. The West Fork is open annually to angling from the third Saturday in May through November 30th, with extended catch-and-release angling for trout during the remainder of the year[1]. The West Fork experiences heavy use by anglers especially between the months of April and October. The primary game fish on the West Fork are westslope cutthroat, brown, and rainbow trout as well as mountain whitefish. Brook and bull trout are also present but are rare. Common non-game fish species include largescale sucker, longnose dace, and slimy sculpin. The West

[1] See FWP's annual *Fishing Regulations* (available at http://fwp.mt.gov/default.html, then "FishMT") for details of statewide, district, and stream-specific regulations and exceptions applying to the West Fork of the Bitterroot, including species, harvest limits, angling methods, etc.

Fork is a stronghold for westslope cutthroat trout, a state Species of Concern[2] (SOC) and provides habitat for federally threatened (under the Endangered Species Act) bull trout.

Wetlands and riparian areas are some of the most biologically rich yet threatened habitat types in Montana, and western North America as a whole. The portion of the West Fork within the proposed FAS is still capable of lateral channel migration due to limited development and a relatively wide floodplain (Figure 5). The migration of the river creates favorable conditions for willow and cottonwood growth, develops side channels and backwaters that support rich aquatic and terrestrial life, and maintains a relatively large and accessible section of river for anglers, floaters, and wildlife watchers to enjoy. In the spring, high water dissipates energy in this portion of the river by filling the backwaters and flowing through side channels. This process maintains a healthy river-bottom ecosystem by depositing fresh gravel and providing protection for aquatic and terrestrial species from high waters. Additionally, this process is critical for helping reduce flooding of human structures and alleviating abnormal rates of erosion downstream.

**Figure 5.** Movement of the river within its floodplain is a critical process for maintaining healthy terrestrial and riparian habitats and provides a wide swath of the river bottom for anglers to enjoy.

The southern Bitterroot Valley is a popular hunting destination, and the proposed FAS would offer hunting opportunities in a strategic location on the landscape and in habitat types that are sparsely available in the area (i.e., forested riparian areas). Primary terrestrial game species include white-tailed deer, mule deer, elk, moose, black bear, ruffed grouse, dusky grouse, wild turkey, and some waterfowl. The upland acreage provides a critical movement corridor for game animals moving between high-elevation forests and the river bottom and is used by elk and deer in the winter (Figure 6).

The proposed FAS encompasses diverse and healthy habitat types that support a variety of nongame wildlife, including many SOC (Appendix B). The riparian area adjacent to the river is a mix of large-diameter ponderosa pines and cottonwoods with a mid-story of aspen and alder. The understory is composed of deciduous shrubs and grasses as well as willow thickets. This multistory varied-vegetation

[2] A native animal (or plant) breeding in Montana and considered to be “at risk” due to declining population trends, threats to its habitats, and/or restricted distribution. Montana's SOC listing highlights species in decline and encourages conservation efforts to reverse population declines and prevent the need for future listing as Threatened or Endangered Species under the Federal Endangered Species Act. Further information available at http://fwp.mt.gov/fishAndWildlife/species/speciesOfConcern/ (accessed 12 Nov 2019).

community and structure is associated with increased abundance and diversity of songbirds, woodpeckers, small mammals, and many other species (Figure 7). In addition, these resources are located near water, further increasing their value to wildlife. The property would likely be a birding and wildlife-watching hot spot in the Bitterroot Valley.

The property is currently owned by the White Family, the Dickman Family, and the Stomberg Family, who have a strong desire to see the property protected and placed in the public domain. The BRLT has been working with the landowners for nearly 10 years on a conservation outcome for this property. The name of the site pays tribute to the owners' special connection to the land. The property is under imminent threat of development given its prime location in a popular recreation corridor, adjacent and nearby residential development, and the access it provides to the river and USFS land. The current landowners have received multiple offers from private buyers but opted to give FWP the opportunity to acquire the land instead because they want to see the land protected and open to the public.

**Figure 6.** The upland portion of the property would include a trail that leads from the flat bench along West Fork Road up this ridge into the Bitterroot National Forest, providing hunting, horseback, and hiking opportunities as well as spectacular views.

The property would be managed under existing FWP public-use regulations. Management of the FAS would include routine maintenance, control of motorized use and firearms, forestry management to reduce wildfire threat and remove hazard trees, and other accepted FWP recreation area management policies. Protection of natural resources, the health and safety of visitors, and consideration of neighboring properties would all be incorporated into development plans for the site. Anticipated improvements to the FAS in the near-term would be installation of a latrine near the boat launch area, development of an upland access parking lot and trailhead, and installing signage on-site as well as along West Fork Road. Future developments are likely to include a small campground (1-3 sites), a stock bridge and trails development on the upland portion of the property, a picnic area near the boat launch, and a small additional parking area north of the boat ramp to accommodate hikers and walk-in anglers (see Figure 3 for potential developments).

**Angling**

The proposed FAS would retain the gravel boat launch and parking area at the southwest corner of the property (Figures 3, 8, 9). The boat launch area already exists as part of the currently leased FAS and would only be improved as needed, retaining the natural river-rock base. A concrete ramp is not planned due to ever-changing gravel deposition patterns, water levels, and other uncontrollable and unpredictable factors. The property encompasses approximately 0.5 mile of the West Fork where side channels and backwaters are abundant and provide good wade angling opportunities. A latrine would be installed near the boat launch and parking area. FWP intends on providing a day-use picnic area adjacent to the boat ramp that would include picnic tables and access to trails leading north into the rest of the FAS property.

**Figure 7.** Diverse, multi-story riparian vegetation provides cover for game species and promotes increased abundance and diversity of nongame animals such as songbirds, woodpeckers, and small mammals.

**Hunting**

The proposed FAS would provide hunting opportunities for black bear, deer, elk, grouse, turkey, and waterfowl. The portion of the property east of West Fork Road (approximately 78 acres) would be regulated as an archery-only hunting zone (Figures 3, 10). No weapons restrictions would be placed on the portion of the FAS west of West Fork Road (approximately 19 acres), but signs would be posted regarding locations of roads, trails, and structures in the area to promote safe hunting practices. Signs would be installed at the trailhead/parking areas that explain hunting access rules and regulations as well as provide a map of the property, adjacent public and private lands, and safety zones. FWP would install property-boundary signs along all boundaries that border private lands to minimize potential trespass issues and conflicts between hunters and neighbors.

**Camping**
FWP anticipates developing a fee-camping area on the east side of West Fork Road directly north of the boat launch and day-use area (Figure 3). The campground would include 1-3 primitive campsites selected from several possible locations based on anticipated use and topographic/habitat features of the property. An additional latrine might be installed in the campground. An information kiosk with camping regulations and fee-collection box would be located within the campground loop. Rocks or other barriers would be placed in strategic locations throughout the FAS to ensure vehicular use of the area is confined to acceptable locations.

**Figure 8.** The current parking area at the leased FAS would be improved to accommodate vehicles, boat trailers, and adequate space for users to turn around.

**Upland Access Site**
FWP would develop a parking area, trailhead, and trail on the upland portion of the property west of West Fork Road (Figures 3, 10). This site would be accessible via Leavens Road and would be large enough to accommodate horse trailers and other vehicles. The parking area would be surrounded by a perimeter barrier to deter off-road travel. The trailhead would provide multiuse recreational access and would include a stock bridge over the irrigation ditch and a trail ascending a prominent ridgeline leading into BNF property. Signage would be installed that denotes the public-private property line to discourage trespass into adjacent private lands. FWP would work with the Darby Ranger District of the BNF to explore opportunities for extending formal trail access further into USFS lands. Access improvements on the upland acreage would enhance access to hundreds of acres of lands in the BNF.

**Hiking/Birdwatching/Horseback riding**
FWP intends to retain and/or develop trails on both the river-bottom and upland portions of the FAS to facilitate public access (Figure 3). Existing trails would be cleared and maintained, and rock barriers would be placed to deter illegal motorized use of the property. An additional new trail would be developed to link the boat launch and day-use area to the campground and on into the relatively undeveloped river-bottom portion of the property to the north. Horseback use would be allowed on the entire FAS but would be restricted to established trails.

**Figure 9.** The current boat launch area at the FAS is functioning well and would only be improved as-needed to retain the natural river-rock base.

**Reserved Rights**
The C. Ben White Memorial FAS includes a memorial site adjacent to the potential campground area with special significance to the current property owners. The memorial site would be fenced or otherwise delineated in order to prevent damage. Because of the significance of this property to the current landowners, FWP would enter an agreement that grants to Marty Stomberg, Linnea Miner, Barbara Dickman, Thomas A. Dickman, and Don White, each a lifetime right to exclusively occupy and use the campground from sunrise to one hour after sunset on July 1st and from noon on Friday through one hour after sunset on Sunday during the third full weekend of July. These dates would be used by the current landowners for private gatherings in the campground area, and the campground would be closed to the public during these times. FWP would post notice of these reserved periods on the campground entrance gate, which may be locked during these reserved periods. The remainder of the FAS would be open to the public during those periods.

**Other Regulations**
Target shooting would be prohibited on all portions of the property as is consistent with other FWP Fishing Access Sites.


**Figure 10.** Looking south, Highway 473 (West Fork Road) bisects the property and separates the river-bottom portion (left side of photo) from the upland portion (right side of photo). A parking lot and trailhead would be established to accommodate users of the upland portion of the property.

## 9. Description and analysis of reasonable alternatives

**Alternative A: No Action**
Under the No Action Alternative, FWP would not acquire and develop the C. Ben White Memorial FAS. The existing 1.5-acre leased FAS would be maintained and remain subject to continued cooperation with current and future landowners. If the property is sold, the leased FAS may not be available in the future. The property is under imminent threat of development, and the landowners are exploring alternative options to sell the property as soon as possible. Therefore, long-term availability of the current leased FAS is uncertain. If the property is sold to another private party, portions could be developed as home sites, potentially diminishing the fish and wildlife habitat and disrupting wildlife movement. The opportunity for public access would be expected to cease.

**Alternative B: Proposed Action**
FWP would acquire 97 acres of river-bottom and upland habitats for the creation of the C. Ben White Memorial FAS. Public access to the West Fork of the Bitterroot River and associated floodplain would be secured and enhanced, as would access to adjacent USFS lands. Critical aquatic and terrestrial habitats

for a range of game and nongame species at the gateway of the West Fork of the Bitterroot River canyon would be protected in perpetuity. Site developments would maximize recreational opportunities while minimizing impacts to sensitive habitats.

**10. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency**

FWP would develop the final design and specifications for the development portion of the Proposed Action. FWP would employ Best Management Practices (BMPs) for FAS development and improvement, which (among other things) are designed to reduce or eliminate sediment delivery to waterways during construction (Appendix C). All county, state, and federal permits listed in Part I.7.a (above) would be obtained by FWP as required.

## PART II. ENVIRONMENTAL REVIEW CHECKLIST

### Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

## A. PHYSICAL ENVIRONMENT

| 1. LAND RESOURCES<br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Soil instability or changes in geologic substructure? | | X | | | | |
| b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility? | | | X | | Yes | 1b |
| c. Destruction, covering or modification of any unique geologic or physical features? | | X | | | | |
| d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake? | | | X | | Yes | 1d |
| e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard? | | X | | | | |
| f. Other (list) | | X | | | | |

**1b.** During construction, some minor modifications to the existing soil features would be required for construction and improvement of parking areas, access roads, the boat ramp, rock barriers, and latrines. Disturbed areas would be seeded with a native-seed mix to minimize erosion and sediment delivery to the West Fork and to reduce the spread of noxious weeds. The Proposed Action would not affect soil productivity or fertility over large areas. FWP BMPs would be followed during all phases of construction to minimize erosion (Appendix C).

**1d.** Areas around parking lots, trails, and campground sites would necessarily have reduced vegetation cover due to human impacts. The impacted areas could result in increased erosion and subsequent sediment delivery to the West Fork as well as reductions in riparian vegetation and possible spread of noxious weeds. FWP would work to minimize these impacts and adjust FAS regulations to offset major issues when identified. The impacts of these activities are not expected to exceed those of other FASs under FWP management in Region 2. The proposed project would have minor impacts to the bank of the West Fork where people access the river. Minor amounts of sediment might enter the river during construction activities, but these impacts would be temporary. FWP BMPs would be followed during all phases of construction to minimize erosion (Appendix C).

| **2. AIR**<br><br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c)) | | | X | | Yes | 2a |
| b. Creation of objectionable odors? | | X | | | | 2b |
| c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally? | | X | | | | |
| d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants? | | X | | | | |
| e. For P-R/D-J projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a) | | X | | | | |
| f. Other | | X | | | | |

**2a.** Increased levels of dust may be generated during construction activities at the proposed FAS, but FWP would follow BMPs during all phases of construction to minimize dust creation (Appendix C). Diesel equipment may be used to implement the Proposed Action, potentially resulting in temporary increased diesel exhaust fumes in the area. However, these impacts would be temporary and only present in the immediate area around construction equipment during construction activities.

**2b.** FWP would regularly maintain latrines and pick up trash and litter to minimize objectionable odors.

| **3. WATER**<br><br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity? | | | X | | Yes | 3a |
| b. Changes in drainage patterns or the rate and amount of surface runoff? | | | X | | Yes | 3b |
| c. Alteration of the course or magnitude of flood water or other flows? | | X | | | | |
| d. Changes in the amount of surface water in any water body or creation of a new water body? | | X | | | | |
| e. Exposure of people or property to water related hazards such as flooding? | | | X | | Yes | 3e |
| f. Changes in the quality of groundwater? | | X | | | | |
| g. Changes in the quantity of groundwater? | | X | | | | |
| h. Increase in risk of contamination of surface or groundwater? | | | X | | Yes | 3h |
| I. Effects on any existing water right or reservation? | | X | | | | |
| j. Effects on other water users as a result of any alteration in surface or groundwater quality? | | X | | | | |
| k. Effects on other users as a result of any alteration in surface or groundwater quantity? | | X | | | | |
| l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c) | | | X | | Yes | 3l |
| m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a) | | | X | | Yes | 3m |
| n. Other: | | X | | | | |

**3a.** The proposed developments may cause a temporary localized increase in turbidity in the West Fork. FWP would obtain a Montana Department of Environmental Quality (DEQ) 318 Authorization Permit for Short-Term Water Quality Standard for Turbidity. FWP BMPs would be followed during all construction (Appendix C).

**3b.** Construction of parking areas and trails, boat launch area improvements, and designation of-campsites may result in altered surface runoff patterns. However, these alterations would occur over a relatively small area and are not expected to be excessive. The Proposed Action would be designed to minimize any effect on surface water, surface runoff, and drainage patterns. FWP BMPs would be followed (Appendix C).

**3e.** The boat launch, picnic area, and associated parking lot would be located in a designated floodplain (see 3l,m below). Therefore, there is the potential for people to use the FAS during runoff periods when fast-moving water may be close to FAS infrastructure. However, the design of the FAS would not cause these types of hazards to be excessive for users and would not be expected to exceed hazards that exist at other FASs in west-central Montana.

**3h.** The use of heavy equipment during construction may result in a slight risk of contamination from petroleum products and a temporary increase in sediment delivery to the West Fork. FWP BMPs would be followed during all phases of construction to minimize these risks (Appendix C).

**3l,m.** A portion of the proposed project that includes the boat ramp and day-use area would be located within a designated floodplain, as shown on Federal Emergency Management Agency (FEMA) Map #30081C, Panel #1050D, effective date January 16, 2015. The boat launch, day-use parking area, and picnic area would be located within the 100-year floodplain, with a 1% annual chance of a flood hazard. However, most of this infrastructure has been in place in this location for many years, with minimal damage to the infrastructure or sensitive portions of the floodplain. Picnic tables would likely need to be moved out of the path of flood waters annually and repairs to the boat launch area may be required following large runoff events.

The remainder of the project area is in Zone C, defined as areas subject to minimal flooding. Permits from FWP, DEQ, the US Army Corps of Engineers, and Ravalli County would be obtained to ensure the proposed project would follow federal, state, and county floodplain and water quality regulations. All impacts to water quality resulting from construction would be minor and/or temporary.

| **4. VEGETATION**<br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)? | | | X | | Yes | 4a |
| b. Alteration of a plant community? | | | X | | Yes | 4b |
| c. Adverse effects on any unique, rare, threatened, or endangered species? | | X | | | | |
| d. Reduction in acreage or productivity of any agricultural land? | | X | | | | |
| e. Establishment or spread of noxious weeds? | | | X | | Yes | 4e |
| f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland? | | X | | | | 4f |
| g. Other: | | X | | | | |

**4a.** Construction/enhancement of parking areas, access roads, campsites, trails, fencing, signs, and latrines would have a minor impact on the vegetation at the FAS. Campsites, parking areas, and access routes would be designed so that a minimal number of trees and shrubs would be removed during construction. Any disturbed area would be reseeded with a native-seed mix. FWP would coordinate with the Ravalli County Weed District to implement weed management at the site, consistent with other FAS maintenance activities. After acquisition, the FWP forester would evaluate the site and determine what, if anything, may be done to enhance forest health and minimize hazards to users. This could include removal of some trees, though the overall impact to the forested portions of the property would be minimal and would be designed to promote healthy wildlife habitat to the greatest extent possible.

**4b.** While localized construction activities could change the plant community in small areas, the Proposed Action is not expected to alter the composition of the plant community over the larger area. It can be expected that increased human use may cause ground disturbance in some areas that could promote the establishment of noxious weed species. FWP FAS maintenance staff would implement routine weed control actions at the FAS to monitor and control noxious weed infestations. A noxious weed inventory has not been conducted on the property but would be conducted if the property is acquired by FWP.

**4e.** Populations of noxious weeds, as designated by the Montana Department of Agriculture, are found within the currently leased FAS and likely occur throughout the property. In conjunction with the Ravalli County Weed District, FWP would implement the Statewide Integrated Noxious Weed Management Plan[3] using chemical, biological, and mechanical methods to control weeds on the property. Weed management would also include the establishment of native vegetation on disturbed and treated sites to prevent the spread of weeds. Motorized use

[3] Available at < http://fwp.mt.gov/fishAndWildlife/habitat/noxiousWeeds/default.html>. Accessed 24 Feb 2020.

would be restricted to designated parking areas and access roads, which would be maintained as weed-free. Horseback users would be required to use certified weed-free hay and straw, consistent with surrounded USFS lands.

**4f.** According to a search of the Natural Resource Conservation Service (NRCS) Web Soil Survey on August 7, 2019, no portion of the proposed project site is classified as Prime Farmland or as Farmland of Local Importance, and the site has not been under any form of agricultural production for many years. The Montana Natural Heritage Program's Wetland and Riparian Inventory indicates that no major wetland would be impacted by construction activities at the FAS, though minor localized impacts to the riparian area around the river are expected due to construction activities and increased human use.

| **5. FISH / WILDLIFE**<br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Deterioration of critical fish or wildlife habitat? | | X | | | | 5a |
| b. Changes in the diversity or abundance of game animals or bird species? | | X | | | | |
| c. Changes in the diversity or abundance of nongame species? | | X | | | | |
| d. Introduction of new species into an area? | | | X | | Yes | 5d |
| e. Creation of a barrier to the migration or movement of animals? | | | X | | Yes | 5e |
| f. Adverse effects on any unique, rare, threatened, or endangered species? | | | X | | Yes | 5f |
| g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)? | | | X | | Yes | 5g |
| h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f) | | | X | | Yes | 5h |
| I. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d) | | | X | | Yes | 5i |
| j. Other: | | X | | | | |

**5a.** The proposed developments are designed to minimize impacts to wildlife habitat. A minimal number of trees and shrubs would be removed for construction of the boat launch, parking areas, access roads, campsites, and trails. Efforts would be made to preserve all large healthy trees and snags where possible. The design of the FAS purposefully leaves much of the river-bottom habitat undeveloped to ensure continued use by wildlife species. Construction would likely take place in fall or late winter to avoid disturbance to nesting birds. The US Fish and Wildlife Service (USFWS) classified much of the Bitterroot River system as Critical Habitat for bull trout, including this stretch of the West Fork.

**5d,i.** The threat of Aquatic Invasive Species (AIS) is present at every publicly accessible waterbody in Montana, and the proposed FAS has been accessible for many years. The potential for AIS to enter the Bitterroot River system at the FAS would therefore not increase under the Proposed Action.

**5e.** The enhancement and promotion of recreational use at the FAS, combined with infrastructure improvements, may cause decreased use of the area by big game animals. This could be caused by proximity to humans during most of the year and through direct disturbance by humans during the hunting season. Currently, the landowner

who lives nearby reports elk and deer use the upland portions of the property heavily in the winter and the river-bottom portion as cover during the hunting season. Opening the area to public use may disrupt these movement patterns, though winter use of the FAS is expected to be low. The heaviest development at the FAS would occur in a relatively narrow strip of river-bottom forest between the West Fork Road and the West Fork, potentially resulting in decreased use of that strip of land by animals traveling along the West Fork river corridor. However, animals should still be able to travel on the west side of West Fork Road on USFS properties or along the upland portion of the FAS. This specific impact to animal movements would be expected to occur most often during April-October when recreational use of the river is highest.

**5f,h.** Several state Species of Concern (SOC) have been observed or are expected to occur on the property (Appendix B). Of these, only the bald eagle and golden eagle (protected by the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act) and the bull trout (listed as Threatened under the Endangered Species Act) come under specific federal management guidelines. There are no known bald or golden eagle nests within range of the proposed FAS whereby regulations on construction activities would come into effect.

The West Fork contains federally threatened bull trout, and the proposed FAS may increase incidental mortality of bull trout accidentally caught by anglers targeting other species. The West Fork is currently heavily used by anglers, and the 1.5-acre leased FAS has provided public access for many years. Therefore, impacts to bull trout and its habitat would be minor. If additional angling pressure does occur, it could provide additional fishing license sales. If so, funds from these license dollars would put additional management and restoration work on the ground, providing benefits to bull trout in Montana. Furthermore, protecting the property from future subdivision or development would allow the floodplain to continue lateral migration and would allow other natural floodplain processes to take place, enhancing bull trout habitat in the long-term. These benefits likely offset any potential negative impacts the project may have (Appendix D).

Migratory bird species that use the riparian and upland habitats on the property are protected by the federal Migratory Bird Treaty Act. However, timing of construction activities in the early spring or fall would eliminate concerns over nest disturbance and incidental take. Other SOC that may be impacted by the project include great blue herons (nearest rookery is > 1 mile from the proposed FAS) and westslope cutthroat trout (a common game fish species in the West Fork). The Proposed Action is unlikely to negatively impact these species. Other SOC listed in Appendix B may be locally impacted by infrastructure development and increased human use of the property, but these impacts are not expected to be severe enough to warrant special actions or mitigation measures. FWP ownership of the proposed FAS would assure the land is managed for balanced recreational use with fish and wildlife habitat values. Were the property to be sold to a private buyer, these values could be compromised. Therefore, although there would be some impacts to fish and wildlife species using the site, the overall protection of the property from future development represents a net benefit to fish and wildlife in the area.

**5g.** Increased recreational use of the property may displace some larger animals that have grown accustomed to using the area while under private ownership. However, observations by the landowner indicate most larger wildlife species use the property in the winter, when recreational use of the area is expected to be minimal. Allowing hunting in portions of the proposed FAS would remove or displace some game animals through direct harvest or threat of harvest, but this impact can be expected with any area that is open for public hunting access.

## B. HUMAN ENVIRONMENT

| 6. NOISE & ELECTRICAL EFFECTS<br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Increases in existing noise levels? | | | X | | Yes | 6a |
| b. Exposure of people to serve or nuisance noise levels? | | | X | | Yes | 6b |
| c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property? | | X | | | | |
| d. Interference with radio or television reception and operation? | | X | | | | |
| e. Other: | | X | | | | |

**6a,b.** Construction equipment would cause a temporary minor increase in noise levels at the project site, and this increase may be heard by nearby neighbors and visitors. Operating hours would be designed to minimize loud noises during time periods that may disturb neighboring landowners, river users, or nesting birds.

| 7. LAND USE<br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Alteration of or interference with the productivity or profitability of the existing land use of an area? | | X | | | | |
| b. Conflicted with a designated natural area or area of unusual scientific or educational importance? | | X | | | | |
| c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action? | | X | | | | |
| d. Adverse effects on or relocation of residences? | | | X | | Yes | 7d |
| e. Other: | | X | | | | |

**7d.** One of the current landowners lives on the west side of West Fork Road, adjacent to the proposed FAS, and the landowner's property abuts the upland portion of the proposed FAS. Increased use by recreationists might lead to trespass issues, but FWP would install signs and maps to delineate private lands and help minimize these types of conflicts. If conflicts were to persist, FWP might use wildlife-friendly fencing to more clearly delineate property boundaries, though fencing would be avoided if possible, to minimize impacts to big game movement through the area. The landowner is aware of the potential impacts and worked with FWP to establish proposed management guidelines and FAS property boundaries. FWP would continue to work with the landowner to address any future issues.

There is a private residence located just outside the boundary of the proposed FAS on its northeast corner. Trespass issues might arise with these property owners if the proposed FAS project is completed. FWP would meet with these landowners prior to completion of the proposed project to hear and attempt to address their concerns. FWP might pursue boundary fencing along this portion of the FAS boundary if trespass issues become a problem.

| **8. RISK / HEALTH HAZARDS**<br><br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption? | | | X | | Yes | 8a |
| b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan? | | X | | | | |
| c. Creation of any human health hazard or potential hazard? | | | X | | Yes | 8c |
| d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a) | | | X | | Yes | 8d |
| e. Other: | | X | | | | |

**8a.** During construction and subsequent public use, disturbed areas within the FAS may lead to establishment of noxious weeds. FWP would work with the Ravalli County Weed District to address noxious weed issues on the property using biological, mechanical, and herbicidal treatments. Any application of herbicides on the site would be conducted by trained FWP staff following strict application guidelines to minimize risk of spills or abnormal levels of contamination. Heavy equipment used in construction may release petroleum products inadvertently into the floodplain. However, contractors would inspect equipment daily and have absorbent materials on site to minimize any hydrocarbon releases. FWP would follow BMPs during all phases of construction to minimize risks (Appendix C).

**8c.** The proposed FAS could increase traffic on West Fork Road in the vicinity of the FAS, especially vehicles slowing down or stopping to enter or leave the site. The FAS would be well-marked on West Fork Road and the Conner Cutoff Road to direct users to the site and to warn drivers of possible changes in traffic ahead. Overall, the proposed project would likely enhance public safety by improving roads and parking areas and dispersing parking by different user types to avoid over-crowding.

**8d.** Any application of herbicides on the site to control noxious weeds would be conducted by trained FWP staff following strict application guidelines to minimize risk of spills or abnormal levels of contamination. However, the use of herbicides comes with inherent risk of accidental spills that could result in temporary water contamination. The use of herbicides would follow guidelines outlined in the FWP Statewide Integrated Noxious Weed Management Plan to minimize this risk.

| **9. COMMUNITY IMPACT**<br><br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Alteration of the location, distribution, density, or growth rate of the human population of an area? | | X | | | | |
| b. Alteration of the social structure of a community? | | X | | | | |
| c. Alteration of the level or distribution of employment or community or personal income? | | | X | | Yes | 9c |
| d. Changes in industrial or commercial activity? | | X | | | | |
| e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods? | | | X | | Yes | 9e |
| f. Other: | | X | | | | |

**9c.** The Proposed Action would provide increased recreational opportunities in the area, potentially drawing more visitors to local retail and service businesses (Appendix E, Tourism Report). A leased FAS has been provided at this location since 2001, and the current boat launch area is adequate for launching boats of all sizes up to and including hard-sided drift boats. Therefore, it is unlikely development of this site would dramatically change the level or distribution of commercial guided fishing on this section of the West Fork.

**9e.** The proposed FAS could increase traffic on West Fork Road in the vicinity of the FAS, especially vehicles slowing down or stopping to enter or leave the site. The FAS would be well-marked on West Fork Road and the Conner Cutoff Road to direct users to the site and to warn drivers of possible changes in traffic ahead.

| **10. PUBLIC SERVICES/TAXES/UTILITIES**<br><br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: | | X | | | | 10a |
| b. Will the proposed action have an effect upon the local or state tax base and revenues? | | X | | | | 10b |
| c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications? | | X | | | | |
| d. Will the proposed action result in increased used of any energy source? | | X | | | | |
| e. Define projected revenue sources | | | X | | | 10e |
| f. Define projected maintenance costs. | | | X | | | 10f |
| g. Other: | | X | | | | |

**10a.** The Proposed Action would have no impact on public services or utilities. The proposed developments would require periodic maintenance by FWP, and the site would be patrolled by FWP's FAS and enforcement divisions.

**10b.** This purchase is not expected to reduce the tax revenues that Ravalli County collects on this property. FWP is required by § 87-1-603, MCA, to pay "to the county in a sum equal to the amount of taxes that would be payable on county assessment of the property if it was taxable to a private citizen."

**10e.** Revenue generated from campsite fees is estimated to be $2,000-$3,500 annually.

**10f.** Projected annual operating, maintenance, weed control, and personnel expense for the proposed FAS is estimated to total $3,000 annually.

| **11. AESTHETICS / RECREATION**<br><br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view? | | | X | | Yes | 11a |
| b. Alteration of the aesthetic character of a community or neighborhood? | | X | | | | |
| c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report) | | | X | | Yes | 11c |
| d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c) | | X | | | | 11d |
| e. Other: | | X | | | | |

**11a.** The upland parking area and trail as well as additional signage throughout the site would slightly degrade the aesthetic values along this portion of the West Fork Road. However, improvements to the FAS would increase the aesthetics of the developed portions of the site. Overall, the proposed FAS would facilitate more diverse public use of the site and would encourage people to enjoy the aesthetics of the West Fork river bottom as well as portions of the BNF.

**11c.** The Proposed Action would increase recreational opportunities in the area by improving existing infrastructure (e.g., boat launch and parking areas) and facilitating new outdoor uses in the area (e.g., hunting, hiking, bird-watching, horseback riding). These improvements would likely benefit local retail and service businesses and would promote dispersed use of the site by various user types (Appendix E, Tourism Report).

**11d.** No designated wild or scenic rivers, trails, or wilderness areas would be impacted by the proposed developments.

| **12. CULTURAL / HISTORICAL RESOURCES**<br><br>Will the proposed action result in: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance? | | X | | | | 12a |
| b. Physical change that would affect unique cultural values? | | X | | | | |
| c. Effects on existing religious or sacred uses of a site or area? | | | X | | Yes | 12c |
| d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a) | | X | | | | 12d |
| e. Other: | | X | | | | |

**12a,d.** The Montana State Historic Preservation Office (SHPO) conducted a cultural resource file search for this project and found no major cultural sites on the property. If cultural materials are discovered during construction, work would cease and SHPO would be contacted for a more in-depth investigation.

**12c.** The current owners of the property have a memorial site for a family member at the FAS and have used the riverside location for memorial gatherings. These family members requested that they be able to retain the rights to use the specific site where the memorial is located for gatherings on two occasions in July of each year. FWP was willing to accommodate this request given the level of significance for these gatherings and the landowners' generosity in working with FWP and BRLT on getting this property into the public domain. FWP would use signage to indicate these reserved-use periods, and the rest of the FAS would remain open to public use during those times.

## SIGNIFICANCE CRITERIA

| **13. SUMMARY EVALUATION OF SIGNIFICANCE**<br><br>Will the proposed action, considered as a whole: | IMPACT | | | | | |
|---|---|---|---|---|---|---|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.) | | X | | | | 13a |
| b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur? | | X | | | | |
| c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan? | | X | | | | |
| d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed? | | X | | | | |
| e. Generate substantial debate or controversy about the nature of the impacts that would be created? | | X | | | | |
| f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e) | | X | | | | 13f |
| g. For P-R/D-J, list any federal or state permits required. | | X | | | | 13g |

**13a.** During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term, and the developments would benefit the community and recreational opportunities over the long-term. The Proposed Action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the Proposed Action positively impacts the public's recreational use of the West Fork of the Bitterroot River and would protect important and threatened habitat types in the Bitterroot Valley in perpetuity.

**13f.** The proposed project is designed to improve recreational facilities on the site and is not expected to generate organized opposition or substantial public controversy. Local conservation and sportsperson's groups have been enthusiastically supportive of the project.

**13g.** The US Army Corps of Engineer 404 Federal Clean Water Act is the only federal permit required for the proposed development. The Montana DEQ 318 Short Term Water Quality Standard for Turbidity and the FWP 124 Montana Stream Protection Act are the only state permits required for the proposed development. In addition, a Ravalli County Floodplain and Sanitation Permit and an Approach Permit would also be required.

## PART III. NARRATIVE EVALUATION AND COMMENT

The proposed acquisition and development of the C. Ben White Memorial FAS would protect important aquatic and terrestrial habitats while providing diverse outdoor recreational opportunities on the West Fork of the Bitterroot River. While some negative physical impacts may occur during infrastructure improvements, the overall impact would be short-term and relatively minor. Long-term, the site would increase public access to the outdoors while protecting fish and wildlife habitats from possible deterioration or fragmentation, which could occur were the property to be sold to a private buyer and depending on that or any future buyer's plans.

## PART IV. PUBLIC PARTICIPATION

### 1. Public involvement

The public will be notified in the following manners about the opportunity to comment on this current EA, the proposed action, and alternative:

- Legal notices will be published twice each in each of these newspapers: *Bitterroot Star* (Stevensville), *Independent Record* (Helena), *Missoulian*, *Ravalli Republic* (Hamilton).

- Public notice will be posted on FWP's webpage: http://fwp.mt.gov ("News," then "Public Notices"). The Draft EA would also be available on this webpage, along with the opportunity to submit comments online.

- Copies would be available at the FWP Region 2 Headquarters in Missoula and the FWP State Headquarters in Helena.

- A news release would be prepared and distributed to a standard list of media outlets interested in FWP Region 2 issues; this news release would also be posted on FWP's website http://fwp.mt.gov ("News," then "News Releases"). This news release would also be posted on FWP Region 2's website http://fwp.mt.gov/regions/r2/.

- Direct mailing or email notification would be made to adjacent landowners and other interested parties (individuals, groups, agencies) to ensure their knowledge of the proposed project.

Copies of this draft EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing shrose@mt.gov; or by viewing FWP's Internet website http://fwp.mt.gov ("Public Notices," beginning February 27, 2020).

This level of public notice and participation is appropriate for a project of this scope with no significant physical or human impacts and only minor impacts that can be mitigated.

### 2. Duration of comment period

The public comment period will extend for thirty (30) days following the February 26th publication of the second legal notice in the *Missoulian*. Comments must be received by FWP no later than March 27, 2020.

Comments may be made online on the EA's webpage, emailed to Sharon Rose at shrose@mt.gov, or mailed to the FWP address below:

Region 2 FWP
Attn: Sharon
3201 Spurgin Rd
Missoula, MT 59804

## PART V. EA PREPARATION

**1. Based on the significance criteria evaluated in this EA, is an EIS required?** No

**If an EIS is not required, explain <u>why</u> the EA is the appropriate level of analysis for this proposed action.**

No, an EIS is not required. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, no significant impacts from the proposed acquisition were identified. In determining the significance of the impacts of the proposed project, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur, or reasonable assurance that the impact would not occur. FWP assessed the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

**2. Persons responsible for preparing the EA**

Torrey Ritter, FWP Region 2 Wildlife Biologist, Missoula, MT
Rebecca Mowry, FWP Region 2 Wildlife Biologist, Hamilton, MT
Rory Zarling, FWP Region 2 FAS Manager, Missoula, MT
Jason Lindstrom, FWP Region 2 Fisheries Biologist, Hamilton, MT
Randy Arnold, FWP Region 2 Regional Supervisor, Missoula MT
Sharon Rose, FWP Region 2 Comment Coordinator, Missoula, MT

**3. List of agencies or offices consulted during preparation of the EA**

United States Forest Service:
- Bitterroot National Forest--Darby Ranger District

Montana Fish, Wildlife & Parks:
- Lands, Helena, MT
- Wildlife, Helena, MT
- Access, Missoula, MT

Ravalli County:
- Road Department

## APPENDICES

A. House Bill 495 Project Qualification Checklist (§ 23-1-110, MCA)

B. List of Threatened and Endangered Species and state Species of Concern (Montana Natural Heritage Program)

C. Best Management Practices for Fishing Access Sites (FWP)

D. Biological Assessment

E. Tourism Report (Montana Department of Commerce)

## APPENDIX A. House Bill (HB) 495 Qualification Checklist (§ 23-1-110, MCA)

## HB 495 PROJECT QUALIFICATION CHECKLIST

**Date:** November 9, 2019 **Person Reviewing:** Torrey Ritter

**Project Location:** The proposed C. Ben White Memorial Fishing Access Site is located on the West Fork of the Bitterroot River along Highway 473 (West Fork Road), approximately 7.5 miles south of Darby, Montana in Ravalli County (Township 2 North, Range 21 West; Section 13).

**Description of Proposed Work:** Montana Fish, Wildlife & Parks (FWP) proposes to purchase 97 acres of private land along the West Fork of the Bitterroot River for the purpose of providing public access to the West Fork of the Bitterroot River and developing a Fishing Access Site (FAS). Proposed developments include designated parking areas, vault latrines, gravel access roads, a picnic and camping area, an upland parking area and trailhead, and informational signs.

The following checklist is intended to be a guide for determining whether a proposed action or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.)

**[X] A. New roadway or trail built over undisturbed land?**
Comments: New roadways would be built over undeveloped land within the camping area and for the upland parking area.

**[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?**
Comments: No new building construction.

**[X] C. Any excavation of 20 c.y. or greater?**
Comments: Yes, for access roads, campground, and parking areas.

**[X] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**
Comments: New parking areas will increase overall capacity of the site by more than 25%, though the existing parking lot at the currently leased FAS would not be expanded more than 25%.

**[ ] E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?**
Comments: No major shoreline alterations.

**[ ] F. Any new construction into lakes, reservoirs, or streams?**
Comments: No new construction into the West Fork of the Bitterroot River.

**[ ] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**
Comments: SHPO was contacted and no cultural sites were found on the property.

**[ ] H. Any new above ground utility lines?**
Comments: No new utility lines.

**[X] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?**
Comments: There is currently a private, primitive campsite at the existing leased FAS so the new FAS would improve the existing camping area and add additional campsites.

**[X] J. Proposed project significantly changes the existing features or use pattern, including effects of a series of individual projects?**
Comments: Yes, the Proposed Action would change the use pattern by allowing camping and increasing opportunities for day use in the area.

**If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.**

## APPENDIX B. Species of Concern and Threatened and Endangered Species Associated with the C. Ben White Memorial Fishing Access Site

**Table.** Species confirmed present or thought to be present within the proposed C. Ben White Memorial Fishing Access Site. Data were gathered on-site and from the Montana Natural Heritage Program's species observations database. (Delisted = delisted under the federal Endangered Species Act [ESA]; SOC = Montana Species of Concern; Threatened = Threatened under the ESA.)

| Species | Type | MT Status | Habitat | Confirmed | Suspected | Possible |
|---|---|---|---|---|---|---|
| Bull Trout | Fish | Threatened | Coldwater streams | X | | |
| Westslope Cutthroat Trout | Fish | SOC | Coldwater Streams | X | | |
| Bald Eagle | Bird | Delisted, SOC | Riparian forests | X | | |
| Clark's Nutcracker | Bird | SOC | Conifer forests | X | | |
| Evening Grosbeak | Bird | SOC | Mixed-conifer forests | X | | |
| Great Blue Heron | Bird | SOC | Riparian woodlands | X | | |
| Pileated Woodpecker | Bird | SOC | Conifer/riparian forests with large trees | X | | |
| Brown Creeper | Bird | SOC | Mixed-conifer forests | X | | |
| Flammulated Owl | Bird | SOC | Low-mid elevation conifer forests with large trees | | X | |
| Lewis's Woodpecker | Bird | SOC | Riparian forests | | X | |
| Pacific Wren | Bird | SOC | Conifer/riparian forests | | X | |
| Varied Thrush | Bird | SOC | Riparian forests | | X | |
| Veery | Bird | SOC | Riparian forests | | X | |
| Western Skink | Reptile | SOC | Open conifer forests/grasslands | | X | |
| Western Toad | Amphibian | SOC | Wetlands, lakes, floodplain ponds | | X | |
| Hoary Bat | Mammal | SOC | Riparian and forests | | X | |
| Great Gray Owl | Bird | SOC | Conifer and riparian forests with large trees | | | X |
| Northern Goshawk | Bird | SOC | Mixed conifer forests | | | X |
| Northern Hawk Owl | Bird | SOC | Conifer forests | | | X |
| Peregrine Falcon | Bird | Delisted, SOC | Cliffs near riparian or wetland habitat | | | X |
| Fisher | Mammal | SOC | Mixed conifer forests | | | X |

## APPENDIX C. Best Management Practices for Fishing Access Sites (FWP)

MONTANA FISH, WILDLIFE AND PARKS
BEST MANAGEMENT PRACTICES
10-02-02 (Updated May 1, 2008)

I. ROADS

A. Road Planning and location

1. Minimize the number of roads constructed at the FAS through comprehensive road planning, recognizing foreseeable future uses.

    a. Use existing roads, unless use of such roads would cause or aggravate an erosion problem.

2. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.

3. Locate roads on stable geology, including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.

4. Minimize the number of stream crossings.

    a. Choose stable stream crossing sites. "Stable" refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

B. Road Design

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. "Standard" refers to road width.

2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

C. Drainage from Road Surface

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.

    a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable, drainage will not flow directly into stream channels, and transportation safety can be met.

    b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.

    c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features. Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the sub-grade so that traffic will not obliterate them.

2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of cross-drain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.

3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Cross-drains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.

4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.

D. Construction/Reconstruction

1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.

2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it also provides an economical way of disposing of roadway slash. Limit the height, width and length of these "slash filter windrows" so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.

3. Construct cut and fill slopes at stable angles to prevent sloughing and subsequent erosion.

4. Avoid incorporating potentially unstable woody debris in the fill portion of the road prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.

5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste areas in soil stabilization planning for the road.

6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.

E. Road Maintenance

1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.

2. Maintain erosion control features through periodic inspection and maintenance, including cleaning dips and cross-drains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.

3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or plowing snow.

4. Avoid using roads during wet periods if such use would likely damage the road drainage features. Consider gates, barricades or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character, while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.

2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils

3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.

4. Provide adequate barriers to minimize off-road vehicle use

B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas and campsites, through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.

2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).

3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.

4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

III. RAMPS AND STREAM CROSSINGS

A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload with out difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.

2. Adjust the road grade or provide drainage features (e.g. rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct drainage flow through an adequate filtration zone and away from the ramp or crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.

3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.

4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.

C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time the construction activities to protect fisheries and water quality.

2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.

3. Use culverts with a minimum diameter of 15 inches for permanent stream crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts, unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.

4. Prevent erosion of boat ramps and the affected streambank through proper placement (so as to not catch the stream current) and hardening (riprap or erosion resistant woody vegetation).

5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.

## APPENDIX D. Biological Assessment for the C. Ben White Memorial Fishing Access Site

### Evaluation

An evaluation should be conducted addressing project impacts to wildlife and plants but specifically listed species. The lead federal agency (Corps of Engineers) or their designated representative will make the effects determination of project impact to listed species and their critical habitat based, in part, upon information that you provide. If a determination is "may affect" for listed species, the federal agency must provide all relevant information used in making impact determinations to the US Fish and Wildlife Service. Your project evaluation should include the following:

### General information required for consultation requests

I. Project Description

a. Provide the location of the proposed action including state, county, and township, range and section.
*See attached FWP Environmental Assessment (EA)*

b. Provide a map of the project vicinity with the boundary of the proposed activity depicted.
*See EA*

c. Provide a detailed description of the proposed activity, including secondary project features such as access roads, power lines, etc.
*See EA*

II. Site Specific Information

a. Identify listed, proposed and candidate species that may occur on site or within the influence of the proposed project.
*Bull trout are listed as threatened under the Endangered Species Act and is the primary listed species that could be affected by the proposed FAS. Canada lynx and grizzly bears are unlikely to occur in the area and would be unlikely to use habitats within the proposed FAS.*

b. Provide a description of the habitat on site or within the influence of the project, including constituent elements.
*The West Fork of the Bitterroot River, where the project is located, is occupied by bull trout year-round with this portion of the river being used primarily as foraging, migratory, and overwintering habitat, as well as juvenile rearing. No known bull trout spawning occurs within the project area. There is an abundant food base present in the West Fork consisting primarily of aquatic macroinvertebrates, forage fish including mountain whitefish, Westslope cutthroat trout, rainbow trout, and slimy sculpin, as well as terrestrial organisms of riparian origin. Habitat complexity in the West Fork is relatively good, although residential development in the riparian corridor and the presence of Montana Highway 473 has led to some areas of bank armoring and channel straightening. Large woody debris is relatively common, although many pieces and accumulations have been altered to facilitate recreational use of the river. Painted Rocks Reservoir is located upstream of the project location and is used heavily in the summer (mid-July through late September) to augment stream flow in the mainstem Bitterroot River. Because of this, flows in the West Fork are above average throughout the summer period. Average daily water temperatures during this time tend to be less than 15º C, with maximum daily temperatures rarely exceeding 20º C. Thermal refugia is also available via groundwater inputs and from the many tributaries that come in upstream of the project area.*

c. Provide any known survey information.

*FWP has an electrofishing section that is sampled periodically and encompasses the project area. The site was established in 1986 and has been sampled a total of eight times, with the most recent survey being in 2015. Rainbow and Westslope cutthroat trout make up the bulk of the trout numbers in the reach, followed by brown trout and then bull trout. Bull trout densities within this reach are low making obtaining a population estimate difficult. The lowest number of bull trout handled in this section was six in 2002 and 2015, and the greatest number was 23 in 1986. The average number of bull trout handled in this section for all sample years is 11.6. Most fish captured have been less than 15 inches in length.*

III. Effects of the Action

a. Describe the effects of the action that would directly affect the species and designated critical habitat.

*It is possible bull trout could be caught incidentally by anglers targeting other species at this location. However, these impacts are likely negligible. It is illegal to intentionally target bull trout in FWP Region 2, and densities are low in the river where the proposed FAS would be located.*

b. Describe effects of the action that would indirectly affect the species and designated critical habitat.

*There are some potential indirect impacts to the species that could occur during construction and maintenance of the proposed FAS. Bank hardening and stabilization, though expected to be minimal at this site, can decrease stream complexity and interrupt natural fluvial processes. It is not anticipated that any stream bank would be hardened for this FAS, so impacts to bull trout are unlikely.*

*The creation of a FAS could cause increased angler activity at the site, though there is already a leased FAS at this location that has been in place for many years. Increased angling pressure could lead to accidental take of bull trout mistaken for other species, or increased mortality of bull trout due to handling of the fish by anglers. However, the acquisition and development of the proposed FAS is unlikely to dramatically increase these potential impacts to bull trout. It is illegal to target or take bull trout under FWP's fishing regulations for the West Fork of the Bitterroot River, so any harvest would be done illegally. Most studies on the impact of catch-and-release indicate that there is minimal mortality to salmonids, despite occasionally causing hook scars or other deformities.*

*Overall, we do not expect that angling pressure will increase considerably due to the acquisition and development of the proposed FAS. There are currently abundant opportunities for boat and wade access to the West Fork of the Bitterroot River, including at this location currently. The proposed action would simply make it easier and safer for users to access the river. On the positive side, if the acquisition and development of this site does cause increased angler use it may lead to additional fishing licenses being sold by FWP. Fishing License dollars are partially put towards management of bull trout fisheries and to support restoration projects to improve bull trout habitat (e.g. Future Fisheries Program). Impacts of increased angler use could therefore be offset by increased angler dollars put towards fishery management. Additionally, potential increased angler use may increase overall angler participation, potentially providing more political support for bull trout management and protection in the future.*

IV. Independent and Interrelated

a. Describe effects of interrelated actions (actions that are part of the primary action and depend on that action for their justification).

*See above - no other independent or interrelated actions expected.*

V. Cumulative effects

a. Describe the effects of actions that are cumulative to the primary action. This includes past, present or future state or private activities that are reasonably certain to occur.

*Cumulative impacts can occur due to bank hardening if done at a large scale on multiple banks, but this project affects such a small portion of the river there should not be any significant addition to cumulative impacts from this project. The acquisition of this property will likely prevent future bank hardening activities that could be associated with home sites were the property sold and developed by a private buyer.*

VI. Determination of Effect on the species and designated critical habitat

a. One of the following determinations should be recommended, the Corps will make final effects determination:

Beneficial effect: must be submitted to the FWS for written concurrence.
No effect: written concurrence is not required.
Not likely to adversely affect: impacts are insignificant, discountable or completely beneficial. Written concurrence is required.
Likely to adversely affect: a written request for formal consultation is required.

*Determination: Likely to not adversely affect. The boat ramp and camping area portions of this project may result in bank hardening on a very short length of the West Fork of the Bitterroot River, but this will only occur if absolutely necessary and will have a small footprint if it does occur. Additional angling pressure could occur leading to incidental mortality of bull trout, but access to this portion of the river is already available for both floaters and wade fishermen, so additional impact will likely be negligible. If additional angling pressure does occur, it may provide additional fishing license sales. Funds from these license dollars would put additional management and restoration work on the ground, providing benefits to bull trout in Montana. The potential of increasing angler participation can also provide more political support for bull trout management and protection in the future. These benefits likely offset any impacts the project may have.*

**APPENDIX E. Tourism Report (Montana Department of Commerce)**

# TOURISM REPORT

## MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Jan Stoddard, Bureau Chief, Industry Services and Outreach
MT Office of Tourism and Business Development-Department of Commerce
301 S. Park Ave.
Helena, MT 59602

**Project Name:** *C. Ben White Memorial Fishing Access Site Acquisition and Development*

**Project Description:** *Montana Fish, Wildlife and Parks (FWP) proposes a fee-title acquisition of 97 acres of private land along the West Fork of the Bitterroot River in Ravalli County for creation of the C. Ben White Memorial Fishing Access Site (FAS). The proposed FAS would expand the currently leased W. W. White Memorial FAS and permanently protect access, recreation, and wildlife values at the gateway of the West Fork of the Bitterroot River canyon. Proposed developments at the site include a vault latrine, a small campground with 1-3 sites, walking trails, an upland parking area and access site, and hunting and fishing opportunities. The FAS would also protect important floodplain habitat to benefit game and nongame species in perpetuity, including state Species of Concern (SOC).*

1. Would this site development project have an impact on the tourism economy?
   NO YES If YES, briefly describe:

*Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy if properly maintained. The opportunity to fish Montana waters and native Montana fish populations is marketed to destination visitors from around the world, as well as in-state travelers.*

*A 2016 report from the Institute for Tourism and Recreation Research states that Fishing/Fly-fishing was a "Top Outdoor Recreation Activity" reported by 12% of visitors to Montana in 2016. Additionally, the report also notes that nationwide participation in Outdoor Recreation specific to fishing is expected to increase in the coming decades. These recreational assets are essential to non-resident and resident travelers.*

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
   NO YES If YES, briefly describe:

Yes, as described, the project has the potential to improve quality and quantity of tourism and recreational opportunities with the addition of specific amenities (a vault latrine, a small campground with 1-3 sites, walking trails, an upland parking area and access site). The additional hunting and fishing opportunities and protection of the floodplain habitat to benefit game and nongame species in perpetuity are critical components for long-term sustainability of this asset. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

Signature *Jan Stoddard* Date: 11/4/19

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